

**IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MISSOURI**

In re: **PETER J JOHANN
MARCIA L JOHANN**

Case No.: 10-46740-can-13

Debtors

MOTION TO DISMISS FAILURE TO MAKE PLAN PAYMENTS

Comes now Richard V. Fink, Chapter 13 Trustee, and moves to dismiss pursuant to 11 U.S.C. Section 1307(c) based on the following:

Current plan payment(s): Debtor 1: \$1,432.19 MONTHLY

Default in plan payments of \$4,048.45.
Payment due date is the 22nd of the month.

Wherefore, the Chapter 13 Trustee moves the Court for an Order dismissing the above captioned case without prejudice.

December 23, 2013

/s/ Richard V. Fink, Trustee
Richard V. Fink, Trustee
818 Grand Blvd., Suite 800
Kansas City, MO 64106-1901

NOTICE OF MOTION

Any response to the motion must be filed within twenty-one (21) days of the date of this notice (subject to an extension pursuant to Federal Rule of Bankruptcy Procedure 9006) with the Clerk of the United States Bankruptcy Court. Documents can be filed electronically at <http://ecf.mowb.uscourts.gov>. A copy of such response shall be served electronically by the Court on the Chapter 13 Trustee and all other parties to the case who have registered for electronic filing. Parties not represented by an attorney may mail a response to the Court at the address below. If a response is timely filed, the Court will either rule the matter based on the pleadings, or set the matter for a hearing. If a hearing is to be held, notice of such hearing will be sent to all parties in interest. **If no response is filed within twenty-one (21) days (subject to an extension pursuant to Federal Rule of Bankruptcy Procedure 9006), this proceeding will be dismissed by separate Order of the Court.** For information about electronic filing, go to <http://www.mow.uscourts.gov>. If you have any questions about this document, contact your attorney.

Court Address: U.S. Bankruptcy Court, 400 E. 9th St., Room 1510, Kansas City, MO 64106

NOTICE OF SERVICE

The following parties will be served either electronically or by United States First Class Mail and a certificate of service will be filed thereafter:

DEBTOR(S)
DENNIS A BOMAN ESQ (129) - ATTORNEY FOR DEBTOR(S)

/s/ Richard V. Fink, Trustee

JK /Motion - Dismiss - Failure to Make Plan Payments